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Groups of countries in special situations: specific actions related to the particular needs and problems of landlocked developing countries: outcome of the International Ministerial Conference of Landlocked and Transit Developing Countries and Donor Countries and International Financial and Development Institutions on Transit Transport Cooperation

Report of the Second Committee*

Rapporteur: Mr. Awsan **Al-Aud** (Yemen)

I. Introduction

1. The Second Committee held a substantive debate on agenda item 52 (see A/63/417, para. 2). Action on sub-item (b) was taken at the 28th and 31st meetings, on 20 November and 10 December 2008. An account of the Committee's consideration of the sub-item is contained in the relevant summary records (A/C.2/63/SR.28 and 31).

II. Consideration of draft resolutions A/C.2/63/L.40 and A/C.2/63/L.59

2. At the 28th meeting, on 20 November, the representative of Antigua and Barbuda, on behalf of the States Members of the United Nations that are members of the Group of 77 and China, introduced a draft resolution entitled "Groups of countries in special situations: specific actions related to the particular needs and problems of landlocked developing countries: outcome of the International Ministerial Conference of Landlocked and Transit Developing Countries and Donor Countries and International Financial and Development Institutions on Transit

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Transport Cooperation" (A/C.2/63/L.40), which read:

"*The General Assembly*,

"*Recalling* its resolutions 58/204 of 23 December 2003, 60/208 of 22 December 2005, 61/212 of 20 December 2006 and 62/204 of 19 December 2007,

"*Recalling also* the United Nations Millennium Declaration, and the 2005 World Summit Outcome,

"*Recognizing* that the lack of territorial access to the sea, aggravated by remoteness from world markets, and prohibitive transit costs and risks continue to impose serious constraints on export earnings, private capital inflow and domestic resource mobilization of landlocked developing countries and therefore adversely affect their overall growth and socio-economic development,

"*Recognizing also* that cooperation between transit countries and landlocked developing countries results in better transit transport systems,

"*Expressing support* to those landlocked developing countries that are emerging from conflict, with a view to enabling them to rehabilitate and reconstruct, as appropriate, political, social and economic infrastructure and to assisting them in achieving their development priorities, in accordance with the goals and targets of the Almaty Programme of Action: Addressing the Special Needs of Landlocked Developing Countries within a New Global Framework for Transit Transport Cooperation for Landlocked and Transit Developing Countries,

"*Reaffirming* that the Almaty Programme of Action constitutes a fundamental framework for genuine partnerships between landlocked and transit developing countries and their development partners at the national, bilateral, subregional, regional and global levels,

"1. *Takes note* of the report of the Secretary-General on the implementation of the Almaty Programme of Action;

"2. *Reaffirms* the right of access of landlocked countries to and from the sea and freedom of transit through the territory of transit countries by all means of transport, in accordance with the applicable rules of international law;

"3. *Also reaffirms* that transit countries, in the exercise of their full sovereignty over their territory, have the right to take all measures necessary to ensure that the rights and facilities provided for landlocked countries in no way infringe upon their legitimate interests;

"4. *Further reaffirms* its commitment to the declaration adopted by the ministers and heads of delegation participating in the high-level plenary meeting of the General Assembly on the midterm review of the Almaty Programme of Action, in which they recommitted themselves to urgently addressing the special development needs of and challenges faced by the landlocked developing countries through the full, timely and effective implementation of the Almaty Programme of Action;

"5. *Acknowledges* the assessment of the midterm review, at which it was stressed that, despite some progress in the implementation of the Almaty Programme of Action, the landlocked developing countries continue to be marginalized from international trade, thus preventing them from fully using trade as an instrument for achieving their development goals, including the Millennium Development Goals, and face challenges in their efforts to establish efficient transit transport systems;

"6. *Calls upon* landlocked and transit developing countries, with the support of their development partners, to take immediate, concrete and adequate steps to further accelerate the implementation of the Programme of Action, taking full account of the measures and actions identified in the declaration on the midterm review, and recommends, in this regard, that South-South cooperation and triangular cooperation with the involvement of donors, as well as cooperation among subregional and regional organizations, should be strengthened in support of landlocked and transit developing countries;

"7. *Notes* that the ongoing World Trade Organization negotiations on trade facilitation, particularly on the relevant articles of the General Agreement on Tariffs and Trade, such as article V on freedom of transit, article VIII on fees and formalities and article X on transparency, in accordance with the modalities contained in annex D of the decision of the General Council of the World Trade Organization of 1 August 2004, are particularly important if landlocked developing countries are to gain a more efficient flow of goods and services as well as the improved international competitiveness resulting from lower transaction costs, and, in this context, that technical assistance should be provided to developing countries, in particular to landlocked developing countries;

"8. *Calls upon* donors and the multilateral, regional, financial and development institutions to provide landlocked and transit developing countries with appropriate, substantial and better coordinated technical and financial assistance, particularly in the form of grants or concessionary loans for the implementation of the Almaty Programme of Action, in particular for the construction, maintenance and improvement of their transport, storage and other transit-related facilities, including alternative routes, completion of missing links and improved communications, to promote subregional, regional and interregional projects and programmes;

"9. *Calls upon* development partners to effectively operationalize the Aid for Trade initiative so as to support trade facilitation measures and trade-related technical assistance, as well as the diversification of export products through the development of small and medium-sized enterprises and private sector involvement in landlocked developing countries;

"10. *Calls upon* the relevant organizations of the United Nations system, the regional commissions, the United Nations Development Programme and the United Nations Conference on Trade and Development, and invites other international organizations, including the World Bank, the regional development banks, the World Customs Organization, the World Trade Organization, regional economic integration organizations and other relevant regional and subregional organizations, to further integrate the Almaty

Programme of Action into their relevant programmes of work, taking full account of the declaration on the midterm review;

"11. *Encourages* the Office of the High Representative for the Least Developed Countries, Landlocked Developing Countries and Small Island Developing States to continue to ensure coordinated follow-up and effective monitoring and reporting on the implementation of the Almaty Programme of Action, in line with General Assembly resolution 57/270 B of 23 June 2003, and to step up its advocacy efforts to raise international awareness and mobilize resources, as well as to further develop cooperation and coordination with organizations within the United Nations system in order to ensure the timely and effective implementation of the Almaty Programme of Action and the declaration on the midterm review;

"12. *Encourages* the Economic Commission for Africa, the Economic Commission for Europe, the Economic Commission for Latin America and the Caribbean and the Economic and Social Commission for Asia and the Pacific to continue their efforts to work with landlocked and transit developing countries to develop integrated regional transit transport systems, harmonize regulatory requirements and procedures for import/export and transit with international conventions and standards, promote intermodal transport corridors, encourage access to and more effective implementation of international conventions on transit transport and assist in the establishment of national trade and transport facilitation coordination mechanisms and in improving the planning and development of the missing links in regional infrastructure networks, especially in Africa;

"13. *Encourages* the United Nations Conference on Trade and Development, in particular its Division on Technology and Logistics and its Division for Africa, Least Developed Countries and Special Programmes, to continue its technical assistance activities and analytical work related to transit transport cooperation between landlocked and transit developing countries;

"14. *Encourages* donors and the international financial and development institutions, as well as private entities, to make voluntary contributions to the trust fund established by the Secretary-General to support the activities related to the follow-up to the implementation of the outcome of the Almaty International Ministerial Conference;

"15. *Requests* the Secretary-General to submit to the General Assembly at its sixty-fourth session an analytical report on the implementation of the Almaty Programme of Action and the declaration on the midterm review;

"16. *Decides* to include in the provisional agenda of its sixty-fourth session the item entitled 'Specific actions related to the particular needs and problems of landlocked developing countries: outcome of the International Ministerial Conference of Landlocked and Transit Developing Countries and Donor Countries and International Financial and Development Institutions on Transit Transport Cooperation'."

3. At its 31st meeting, on 11 December, the Committee had before it a draft resolution entitled "Groups of countries in special situations: specific actions related to the particular needs and problems of landlocked developing countries: outcome of the International Ministerial Conference of Landlocked and Transit Developing

Countries and Donor Countries and International Financial and Development Institutions on Transit Transport Cooperation" (A/C.2/63/L.59), submitted by the Rapporteur of the Committee, Awsan Al-Aud (Yemen), on the basis of informal consultations held on draft resolution A/C.2/63/L.40.

4. At the same meeting, the Committee was informed that the draft resolution had no programme budget implications.

5. Also at the same meeting, the Rapporteur of the Committee made a statement (see A/C.2/63/SR.31).

6. Also at its 31st meeting, the Committee adopted draft resolution A/C.2/63/L.59 (see para. 9).

7. After the adoption of draft resolution A/C.2/63/L.59, a statement was made by the representative of Kazakhstan (see A/C.2/63/SR.31).

8. In the light of the adoption of draft resolution A/C.2/63/L.59, draft resolution A/C.2/63/L.40 was withdrawn by its sponsors.

III. Recommendation of the Second Committee

9. The Second Committee recommends to the General Assembly the adoption of the following draft resolution:

Groups of countries in special situations: specific actions related to the particular needs and problems of landlocked developing countries: outcome of the International Ministerial Conference of Landlocked and Transit Developing Countries and Donor Countries and International Financial and Development Institutions on Transit Transport Cooperation

The General Assembly,

Recalling its resolutions 58/201 of 23 December 2003, 60/208 of 22 December 2005, 61/212 of 20 December 2006 and 62/204 of 19 December 2007,

Recalling also the United Nations Millennium Declaration,[1] and the 2005 World Summit Outcome,[2]

Recognizing that the lack of territorial access to the sea, aggravated by remoteness from world markets, and prohibitive transit costs and risks continue to impose serious constraints on export earnings, private capital inflow and domestic resource mobilization of landlocked developing countries and therefore adversely affect their overall growth and socio-economic development,

Expressing support to those landlocked developing countries that are emerging from conflict, with a view to enabling them to rehabilitate and reconstruct, as appropriate, political, social and economic infrastructure and to assisting them in achieving their development priorities in accordance with the goals and targets of the Almaty Programme of Action: Addressing the Special Needs of Landlocked Developing Countries within a New Global Framework for Transit Transport Cooperation for Landlocked and Transit Developing Countries,[3]

Recalling the New Partnership for Africa's Development,[4] an initiative for accelerating regional economic cooperation and development, as many landlocked and transit developing countries are located in Africa,

Reaffirming that the Almaty Programme of Action constitutes a fundamental framework for genuine partnerships between landlocked and transit developing countries and their development partners at the national, bilateral, subregional, regional and global levels,

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[1] See resolution 55/2.

[2] See resolution 60/1.

[3] *Report of the International Ministerial Conference of Landlocked and Transit Developing Countries and Donor Countries and International Financial and Development Institutions on Transit Transport Cooperation, Almaty, Kazakhstan, 28 and 29 August 2003* (A/CONF.202/3), annex I.

[4] A/57/304, annex.

Recalling its resolution 63/2 of 3 October 2008, in which it adopted the Declaration of the high-level meeting of the sixty-third session of the General Assembly on the midterm review of the Almaty Programme of Action,

1. *Takes note* of the report of the Secretary-General on the implementation of the Almaty Programme of Action; [5]

2. *Reaffirms* the right of access of landlocked countries to and from the sea and freedom of transit through the territory of transit countries by all means of transport, in accordance with the applicable rules of international law;

3. *Also reaffirms* that transit countries, in the exercise of their full sovereignty over their territory, have the right to take all measures necessary to ensure that the rights and facilities provided for landlocked countries in no way infringe their legitimate interests;

4. *Further reaffirms* its full commitment to the Declaration[6] adopted by the Ministers and heads of delegations participating in the high-level plenary meeting of the General Assembly on the midterm review of the Almaty Programme of Action, in which they recommitted themselves to urgently addressing the special development needs of and challenges faced by the landlocked developing countries through the full, timely and effective implementation of the Almaty Programme of Action;

5. *Acknowledges* that landlocked and transit developing countries in Africa, Asia, Europe and Latin America have strengthened their policy and governance reform efforts and that donor countries, financial and development institutions and international and regional organizations have paid greater attention to the establishment of efficient transit systems; notes with concern, however, that the landlocked developing countries continue to be marginalized from international trade, thus preventing them from fully using trade as an instrument for achieving their development goals, including the Millennium Development Goals, and face challenges in their efforts to establish efficient transit transport systems; and therefore notes the importance of the ongoing World Trade Organization negotiations on trade facilitation, particularly on the relevant articles of the General Agreement on Tariffs and Trade that are important to landlocked developing countries, such as those referred to in the Declaration on the midterm review of the Almaty Programme of Action;

6. *Calls upon* landlocked and transit developing countries to take all appropriate measures, as set out in the Declaration, to speed up the implementation of the Almaty Programme of Action;

7. *Calls upon* donors and the multilateral, regional, financial and development institutions to provide landlocked and transit developing countries with appropriate, substantial and better-coordinated technical and financial assistance, particularly in the form of grants or concessionary loans, for the implementation of the Almaty Programme of Action, in particular for the construction, maintenance and improvement of their transport, storage and other transit-related facilities, including alternative routes, completion of missing links

[5] A/63/165.

[6] See resolution 63/2.

and improved communications, so as to promote subregional, regional and interregional projects and programmes;

8. *Calls upon* the development partners to effectively operationalize the Aid for Trade initiative so as to support trade facilitation measures and trade-related technical assistance, as well as the diversification of export products through the development of small and medium-sized enterprises and private sector involvement in landlocked developing countries;

9. *Encourages* the international community to enhance efforts to facilitate access to and encourage the transfer of technologies related to transit transport systems, including information and communications technology;

10. *Encourages* the further strengthening of South-South cooperation and triangular cooperation with the involvement of donors, as well as cooperation among subregional and regional organizations, in support of the efforts of landlocked and transit developing countries towards achieving the full and effective implementation of the Almaty Programme of Action;

11. *Calls upon* the relevant organizations of the United Nations system, the regional commissions, the United Nations Development Programme and the United Nations Conference on Trade and Development, and invites other international organizations, including the World Bank, the regional development banks, the World Customs Organization, the World Trade Organization, regional economic integration organizations, and other relevant regional and subregional organizations, to further integrate the Almaty Programme of Action into their relevant programmes of work, taking full account of the Declaration on the midterm review, and encourages them to continue, as appropriate, within their respective mandates, their support to the landlocked and transit developing countries, inter alia, through well-coordinated and coherent technical assistance programmes in transit transport and trade facilitation;

12. *Encourages* the Office of the High Representative for the Least Developed Countries, Landlocked Developing Countries and Small Island Developing States to continue to ensure coordinated follow-up and effective monitoring and reporting on the implementation of the Almaty Programme of Action, in line with General Assembly resolution 57/270 B of 23 June 2003, and to step up its advocacy efforts directed towards raising international awareness and mobilizing resources, as well as to further develop cooperation and coordination with organizations within the United Nations system in order to ensure the timely and effective implementation of the Almaty Programme of Action and the Declaration on the midterm review;

13. *Encourages* the Economic Commission for Africa, the Economic Commission for Europe, the Economic Commission for Latin America and the Caribbean and the Economic and Social Commission for Asia and the Pacific to continue their efforts to work with landlocked and transit developing countries to develop integrated regional transit transport systems, harmonize regulatory requirements and procedures for import/export and transit with international conventions and standards, promote intermodal transport corridors, encourage access to and more effective implementation of international conventions on transit transport, and assist in the establishment of national trade and transport facilitation coordination mechanisms and in improving the planning and development of the missing links in regional infrastructure networks, especially in Africa;

14. *Encourages* the United Nations Conference on Trade and Development to continue to strengthen its technical assistance activities and analytical work related to logistics and transit transport cooperation;

15. *Encourages* the United Nations Development Programme to enhance its provision of trade-related technical assistance and capacity-building programmes to landlocked developing countries;

16. *Invites* the World Trade Organization to continue to provide technical assistance to landlocked developing countries in order to enhance their negotiating capabilities;

17. *Invites* the World Bank to continue to give priority to requests for technical assistance to supplement national and regional efforts to promote the efficient use of existing transit facilities, including the application of information technologies and the simplification of procedures and documents;

18. *Invites* the World Customs Organization and other relevant international and regional organizations to continue to strengthen the provision of technical assistance and capacity-building programmes to landlocked and transit developing countries in the area of customs reform, simplification and harmonization of procedures, and enforcement and compliance;

19. *Encourages* donors and the international financial and development institutions, as well as private entities, to make voluntary contributions to the trust fund established by the Secretary-General to support the activities related to the follow-up to the implementation of the outcome of the Almaty International Ministerial Conference;

20. *Requests* the Secretary-General to submit to the General Assembly at its sixty-fourth session an analytical report on the implementation of the Almaty Programme of Action and the Declaration on the midterm review;

21. *Decides* to include in the provisional agenda of its sixty-fourth session the item entitled "Specific actions related to the particular needs and problems of landlocked developing countries: outcome of the International Ministerial Conference of Landlocked and Transit Developing Countries and Donor Countries and International Financial and Development Institutions on Transit Transport Cooperation".